

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THELMA WASTE CONTROL, INC.

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ALLEGED VIOLATION OF KRS CHAPTER 278

)  
) CASE NO.  
) 91-057  
)  
)

O R D E R

On February 22, 1991, the Commission issued an Order directing Thelma Waste Control, Inc. ("Thelma Waste Control") to appear at a hearing scheduled for March 28, 1991 to show cause why it should not be penalized for failing to maintain its sewage facilities in accordance with Commission regulation 807 KAR 5:071, Section 7.

On March 26, 1991, the Commission received a letter from Thelma Waste Control which presented various items of information for the Commission's consideration. In its letter, Thelma Waste Control further asserted that it is not a utility within the definition of KRS 278.010(3)(f), and thus is not subject to the jurisdiction of the Commission. Thelma Waste Control requested the Commission to rescind its show cause Order, cancel the hearing scheduled for March 28, 1991, and schedule an informal conference if necessary.

Having considered the evidence of record and being otherwise sufficiently advised, the Commission finds that the hearing

scheduled for March 28, 1991 should be postponed and an informal conference scheduled to discuss the issue of Commission jurisdiction over Thelma Waste Control and the status of its facilities.

IT IS THEREFORE ORDERED that:

1. The hearing scheduled for March 28, 1991 is hereby continued, to be rescheduled at a later date if necessary.

2. An informal conference is hereby scheduled for April 25, 1991 at 1:30 p.m., Eastern Daylight Time, in Conference Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.


3. Thelma Waste Control shall file five copies of the following within 15 days of the date of this Order:

(a) Tariff sheets showing all rates and conditions for service established by it and collected or enforced.

(b) A copy of the by-laws of Thelma Waste Control, Inc.

Done at Frankfort, Kentucky, this 28th day of March, 1991.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director